Date of Deposit July 11, 2002. I hereby certify that this Consented I deposited with the United States Postal Service, First Class Mail, add. TTAB – NO FEE, 2900 Crystal Drive, Arlington, Virginia 22202-3513.

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Stacy L. Taylor

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

MERCK & CO., INC.	Opposer,	Opposition No. 91151768
v. SICOR, INC.,	Applicant.	SN 78/071,517 Mark: SICOR

## CONSENTED MOTION TO EXTEND THE TIME TO FILE ANSWER

The Commissioner for Trademarks BOX TTAB – NO FEE 2900 Crystal Drive Arlington, Virginia 22202-3513

Dear Sir or Madam:

The Notice of Opposition for this matter was mailed by the U.S. Patent and Trademark Office on June 5, 2002. Therefore, the applicant Sicor, Inc.'s answer to this opposition was to have been filed by July 15, 2002.

However, the parties to this opposition, Merck & Co., Inc. and Sicor, Inc. have agreed and stipulated that applicant Sicor, Inc. shall be entitled to an extension of sixty (60) days up to, and including, September 13, 2002 to answer or otherwise respond to this opposition. Deborah

Greene, counsel for the opposer Merck & Co., Inc., consented to this extension by telephone on July 10, 2002.

Applicant has sought the additional time to enable it to further examine the issues surrounding the opposition and to pursue an amicable settlement of this opposition. This Consented Motion to Extend the Time to File Answer is made in good faith and not for the purpose of unnecessary delay, and it is respectfully requested that the stipulated extension be approved.

This Motion is submitted in triplicate as required by 37 C.F.R. Sections 2.102(d) and 2.121(d).

Dated: July 11, 2002

Respectfully submitted,

SICOR, INC.

Benita M. Das

PILLŞBURY WINTHROP LLP

50 Fremont Street

P.O. Box 7880

San Francisco, CA 94105

(415) 983-1253

bdas@pillsburywinthrop.com

## Opposition No. 91151768

## PROOF OF SERVICE BY MAIL

- I, Stacy L. Taylor, the undersigned, hereby certify and declare under penalty of perjury that the following statements are true and correct:
- 1. I am over the age of 18 years and am not a party to the within cause.

  I am employed by Pillsbury Winthrop LLP in San Francisco, CA.
- 2. My business address is 50 Fremont Street, San Francisco, CA 94105-2228. My mailing address is P.O. Box 7880, San Francisco, CA 94120-7880.
- 3. On July 11, 2002, I served a true copy of the attached documents titled exactly (1) CONSENTED MOTION TO EXTEND THE TIME TO FILE ANSWER, by placing it in an addressed and sealed envelope and depositing it in the United States mail, first-class postage fully prepaid, to the following:

Debra A. Shelinsky Greene Merck & Co, Inc. P.O. Box 100 Whitehouse Station, NJ 08889-0100

I declare under penalty of perjury that the foregoing is true and correct.

Executed this 11th day of July, 2002, at San Francisco, CA.

tacy L. Taylo